

Forming the legal avant-garde: a theory of art/law

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Re-Worlding: A Theory of Art/Law

"Law and its order are based on representation and as such might be considered beautiful. Behind representation however is art, just as behind the beauty of the law is the sublimity of justice."

Mary Slaughter 'The Arc and the Zip: Deleuze and Lyotard on Art'ⁱ

Introduction

In a world of mediated spectacle upon spectacle flowing through our screens, it is easy to become convinced that the law is a mere fabulation with no external reality, a fantasy beholden only to the whims of the few, with little possibility for resistance. Yet in between these moments of despair and fragmentation, there exists a requirement to alter, to re-mould and re-form forgotten and seemingly lost understandings of justice.

This piece argues it has become clear there is a new legal epistemology and ontology emerging, through a re-worlding of art and law. This emphasis on *re-worlding* suggests the two have in fact never been distinct. This new intersection of art and law within legal thinking, activism, and artistic practice, is the movement and phenomena of 'Art/Law'. Art/Law is the coming together of theory and practice of legal and political aesthetics, understood as (im)materially performed. Art/Law is understood as an onto-epistemic-ethics, a choice of action, that acknowledges the role of matter within practice, creating ways of seeing, knowing, being and learningⁱⁱ.

This piece is a story of coming together of these practices, a postulation of observations and experiences, where ways of knowing and learning around law are becoming of prescience beyond the law world; where legal scholarship may step beyond books into a kinetics of change and emergence. This concern *for* and *of* law, is seen in light of epistemological shifts and trends connecting the legal with the spatial-temporal, the visual, affectual, aesthetic and performative.

Arguments for art being law, and law being art, are relayed through similarities between legal and artistic method, the treatment of art by law and vice versa, in order to understand what Art/Law is. This in turn questions the role of art in resistance, and whether resistance itself can be art by considering debates in art history on relational aesthetics, the autonomy of art, and specifically contemporary art's conscious turn to 'socially engaged art' in recent years. The culpable role of the 'art world', co-determined by the 'law world', in supporting and upholding systems of capitalism where art is traded as a form of moveable property, commodity and economic instrument through histories of material aesthetic imperialism, is situated as central to maintaining the artificial separation between art, law and resistance. This separation exists due to the formalism of individual

property, whereas Art/Law suggests a mechanism where theory and practice meet to overcome the advanced plague of spectacular capitalism in the hope of creating new juridical-aesthetic movements, openly bringing the practices of law, art and resistance together.

First the concept of art/law and its connotations will be outlined, followed by how the relation between art and law have been considered in legal scholarship thus far. The deliberate move towards the use of law in art, art in legal teaching, and the various spatio-temporal, visual, aesthetic and affectual turns in legal thinking will follow to propose an increased coming together of art and law in its variant forms. The '/' of art/law is relayed as resistance and change, an emergent mattering of law and art in a non-dialect movement. Art historical literature on socially engaged art that indicate departures in thought around the need for autonomy on art, and relational aesthetics within this, are used to decipher the place of politics, relationality, matter and form within art/law phenomena. Art and law seek to remain autonomous and yet this artificial authority has been eroded, or needs to be overcome, as suggested by the Situationist International, amongst a radical heritage in art and philosophy that seeks to overcome the spectacle through the proffering of the end of art and end of law within critical thinking; providing an understanding of the important positioning of art/law today. This end of art and law is relayed through property as that which shapes the form of law worlds and art worlds, the official and the unofficial, leading to a causal argument for art/law as a necessary onto-epistemic ethics of 'resistant (in)formality', grounded in practice accounting for the materiality of change. This materiality is finally argued as an acknowledgement of justice, a consideration of uncertainty, resulting in a new way of seeing, thinking and action, in the coming together of art, law and resistance.

[What is Art/Law?](#)

The question of 'what is art?', seems as antique as the nature and origins of law, in spite of its connotations as a product of the enlightenment, prior conceptions surmounting to the nature of beauty. Considering this, a starting point might be to set the terms of what we mean by art, and the same for law, using parameters to determine the limits of each, in order to de-limit them. There are understandably problems with closed definitions, however, given that at once we try to categorise, we then exclude erstwhile understandings of both. An analytic philosophy may claim art needs to be categorised, either according to its function as an object creating a pleasing response, or as something that has been produced using to certain methods and motions that mean it can be considered created as a work of art. These functionalist or proceduralist descriptions could just as well be read as a legal positivism of Hartⁱⁱⁱ or Kelsen^{iv}, or even a subtext for a legal pluralism, a

reminder of the similarities between art and law, or merely the way in which defining processes occur across disciplines and practices.

Given the risk of occlusion, the task is thus not to define art and law and its relatedness, but to explicate the extent to which they are one and the same material practice, the methods through which they have been kept apart, and what new ontic ethics of seeing can be realised in the movement of Art/Law. At the same time, to ignore the distinction and existence of these categories is to redact the existential and practical realities of the art world and the law world, and the violence that has occurred as a consequence of their separation. The question of autonomy in art and autonomy in law appears as prescient for both's legitimacy^v, there being a liminality between art and law in order to propose a practice that supersedes artificial boundaries.

For Hegel, the definition of art is in reference to its content and presentation, as the highest reality in sensuous form^{vi}. Danto refers to Seel speaking of aesthetics as the creation of unique experiences in the world, and Santayana refers to art as relaying a direct sense of beauty, whereas Duchamp demonstrated that aesthetics and art can be separated^{vii}. Each of these demarcations of what art and law may be are broadly Western in scope with the heavy weight of positionality attached in turn. In this occidental tradition of aesthetics and politics, considering Platonic beauty over the danger of art, Kant's disinterested judgement, Hegel's 'end of art', a Nietzschean art to overcome nihilism, as well as latterly Adorno^{viii}, Debord^{ix} and Rancière^x; for these thinkers art is seen as an artificial category, as much as critical legal extrapolations of law.

Following Davies' cautious desire not to define law^{xi}, she postulates that, following a non-essential legal pluralism of Tamanaha^{xii}, at the very least law is unlimited, "connected and relational .. law is mobile, plural, and material"^{xiii}. Taking this as a point of departure, the same can be said for art, it is plural, mobile, and material, as well as immaterial.

Art should also be unlimited to art/law, only bounded by the reification of law, and the same for law/art, as only bounded by the reification of art. The only thing else, is resistance, which is the '/' in art/law, which we will come to shortly. Art/law is a term that has been used by Karavokyris^{xiv} to highlight the:

"The formative act of the creator meets the—*de facto* and *de jure*—inevitable boundary of the look of others until it turns, depending on the outcome of this uncertain communication, from a subjective statement (mere work) into an objective norm (work of art/law)."

Art/law, in this work, is an onto-epistemic ethics, an understanding of the agential nature of matter practice, change, not entirely divorced from Karavokyris' understanding in the sense that both art and law is the substance of art/law, but also as a method of teaching, learning and living that is a movement as much as a descriptor of all law and art in sum^{xv}.

Art and Law in Thought and Practice

Direct conceptions of the connection between art and law are not new and are found most deeply embedded within critical theory of the Frankfurt School, and critical legal theories of aesthetics. Understandings are extensive, from which legal forms are present in art, through to painting, sculpture, literature or music reliant on representational methods of symbol, emblem, motif^{xvi}. First, we will consider the scholarship that specifically refers to the concomitant relationship between art and law before discussing law and aesthetics *per se*.

When we interrogate the role of art in law and vice versa, we are automatically referring to an alteration of the senses, *aesthesis* meaning to sense in the traditional understanding, where external realities meet our sense-making logics, or illogics more appropriately. Thinkers around law and emotion, law and the senses, indeed law and aesthetics, sit in a tradition of Western thinking around encountering, feeling, hermeneutical processing of two external worlds meeting, that of the surplus of every other to every other. Understandings of law and aesthetics have been specifically resonant in critical legal thinking,^{xvii} legal semiotics^{xviii} and socio-legal studies^{xix}. Critical legal studies assumes an acknowledgement of law as politics, where all can be broken down to a constructed and performative action, leading to understandings of law as only viable through rhetoric, images, spaces and ascribed boundaries of aesthetics. Gearey argues, "Law makes use of the image to give sense of its own continuity and centrality to social being"^{xx}, where the reification of law and its legitimacy is understood through something tangible and interacting with our senses^{xxi}.

The place of the image and representation in law comes with a backdrop of interpreting the legality as a text, as nothing unfolding beyond the surface of its signifier following poststructuralist assumptions of performativity and non-essentialism. Law and aesthetics scholarship has predominantly been associated with the law and literature movement as a result, a clear correlation between the written word and the force of law that lends itself well to Derridean or generally postmodern deconstructionism. Debates over the 'and' of law and literature nod to a desire to analyse and break down the barriers between legality and literature, seeing the phenomena one and the same, much in the same mood as this piece regarding the enmeshed nature of art/law. Beyond

the aesthetic of the written word has been sonic understandings of law and music^{xxii}, as well as wider considerations of the performative, iterable and improvised nature of law^{xxiii}.

Legal thought around the communication between art and law, oscillates between their existence in pure synchronicity, to entire other, to being one and the same, to art being law, law being art, or the necessity of bringing them back from their historical severance to a space of coterminacy.

Scholarship that directly demolishes the relationship between law and art, largely being Anglo-American, can delineate its incongruent differences^{xxiv}. Wilkinson speaks of the lack of force in an artist's power of persuasion, as opposed to the coercive wrath of authority that juridical decision-making exacts, where "an artist's power flows from internal, individual genius; in contrast, a judge is vested with external, positional authority"^{xxv}. Nevertheless, they argue this distinction between paradigms of art and law can serve as a positive for the purposes of law, "because artistic process, purpose, and power is so different from that of law, art serves as the perfect model for what judges should not do and ought not to be"^{xxvi}. A less than supportive account of any relation between art and law, and indeed, a propinquity between artists and lawyers, is further unabashedly shot down by Duong^{xxvii}, exclaiming that:

"law should not be the refuge for those who are not strong enough to take the risks of art. Just because rhetoric and social issues can straddle the two domains does not mean that great artists are practicing law, or that great jurists are writing literary novels."

This understanding of Art as Art and Law as Law, where either a creative or an advocate are only operating in 'dual professions'^{xxviii}, inscribes the lawyer as rational and asensual, and an artist as irrational and sensual.

In contradistinction, writers such as Vatulescu^{xxix} and Wilkinson discuss the normative similarity of art and law. Turley^{xxx} highlights a coming togetherness: "[i]n many ways, the endeavours of law and art seem to have converged .. as the Court has moved from more classic to more impressionistic interpretations of constitutional provisions". In some senses, and this piece may be guilty of the same, by suddenly noticing the similarities between art and law we are reinforcing the legitimacy of their estrangement, where being awed by their similarity is at once ignorant of the daily ethnography of the artist and the lawyer's practice. In a not dissimilar way, acknowledging their difference can also infer a unified origin of art and law, more bounded, more one-worlded. Martinez reflects on the atomistic autonomy of art encouraged via a Kantian parting of art and law as 'two systematic worlds clearly demarcated from each other'^{xxxi}, and the disciplines themselves becoming

introverted and self-referential from the enlightenment onwards, at least in the Western hemisphere.

Similarly, there are proponents of a one-way version of law either as a form of art, or art as a form of law. Kee describes law as an artistic medium, where “to consider such patterns of recognition is to accordingly consider law’s own materiality”^{xxxii}. In a similar manner, Martinez^{xxxiii} lists artistic practices of collage, assemblage and montage as prime examples of juridical method and form, even more unbounding through technological advances^{xxxiv}.

For scholars who propound art as law, where artworks are ‘mere rule systems’^{xxxv}, art itself with its own internal reckoning becomes an external norm, such as derivative of Karavokyris’ art/law, where ‘the *order of law* can be the aesthetic beauty in law’^{xxxvi} or one *grundnorm* of art that “.. requires that you submit yourself for the moment to its authority, as one might a religious or a legal text”^{xxxvii}. This moment of authenticity, the flash of the origin, speaks of a Benjaminian aura^{xxxviii}, an unravelling of the invisible through the visible^{xxxix}, rendered by Sammons as truth in abstraction for Kandinsky^{xl}.

Beyond the predominantly Western analytical scholarship on art and law discussed so far, many within the critical theory tradition and increasingly those arguments of new materialist and posthumanist thought, may argue there is more at play than just a prescribed divorce of practice where Art is Art and Law is Law. Clear delineations are not so easily traced despite the daily realisms of either profession, and their surrounding environments. Artists, since their work has become tradable as property synchronically ascribed individual copyright protection, operate at the caprices of global capital, utilising best effective business models in order to survive the demands of the market, whilst infusing the limits and boundedness of their environment as they mould their compound material resources for their craft. Lawyers are still using their prose and poise to sway judicial decisions with a heightened empathy for those unable to access legal recourse, expressed through political action and creative expediency.

In reality, the predominant way law interacts with art is through the body of art law, which refers to law that regulates the buying and selling of art^{xli}, as well as national regimes of intellectual property rights. Legal protection has been afforded to artists in the UK since the Engraving Act 1794, an indication of correlation between an increasingly codified body of law and its reliance on individual property as a model of relational value, the rise of possessive individualism through the mercantilism, and the development of what we have come to understand as ‘art’.

Mattering Turns – The Spatial, Visual, Aesthetic, Affectual

In recent years studies in law have moved with philosophical debates, from the text to other forms of aesthetic consideration realised in spatio-temporal descriptions^{xlii} that seek to account for the manner in which law creates its surroundings and the same the other way around. This movement has expressed itself through consideration of law relating to the city, environment, property, land, and more recently, depicting the way law is experienced through the senses of sight, sound, smell and touch.

Rose^{xliii} would argue responses to a globalised culture ever mediated and structured by the play of images, whether on or offline - this true 'culmination of the spectacle' Debord^{xliv} - is being reflected within the rise of visual research and teaching methods. This 'convergence' of social production and epistemological trends, has not been missed in the fields of socio-legal and critical legal enquiry. The inclination to understand and describe law's images and chromatic presence, has recently been termed as the 'visual turn' by Mulcahy^{xlv}. Bottomley and Moore^{xlvi} have similarly postulated the necessity of law's 'rendering visible' to pose as 'diagrammatic thinking', where critical legal theory has come to an exhaustion.

Legal scholarship's move to the sensible, the visual, the haptic, its aesthetic turn^{xlvii}, is characteristic of a wider visual and affective shift in focus across research and teaching in the social sciences and humanities, and a turn away from humanism to posthumanism^{xlviii}. These accounts have led to a point where the *affectual* nature of law, the way in which law impacts and interacts with its surrounding environment, its *matter*, have become of central concern. Massumi^{xlix} speaks of affect as either an emergent non-representative potential and becoming found within animate and inanimate beings, based upon Spinozan philosophy of *conatus* and *affectus* used by Deleuze; or that which brings about emotion through the human senses^l. Both definitions infer an encounter, a meeting point, and a movement between internalities and externalities creating certain responses. Olson argues that affect has replaced literature as the other of law within law and literature studies, tracing this back through the influences of affect theory in posthumanism, queer theory, new materialisms, arguing that affect has replaced Foucauldian 'discourse' as the leading term in current critical commentary^{li}. Matthews and Veitch also relay McKee's 'jurismoprhs'^{lii}, Philoppopoulos-Mihalopoulos' 'lawscape'^{liii} and other engagements with legal materialism (such as Pottage^{liv}) as seeking "answers to significant changes within our underlying social, technological and economic conditions" in an overbearing realisation of Anthropocene that are more plural and less structured as a singly transcendent form previously eschewed in sovereignty^{lv}.

With this in mind, art/law is a natural step on this journey from the abstract, the textual, the spatio-temporal, the aesthetic-affectual, as a convergence of theory and practice, in a move to practical, skills-based paradigm of seeing, being, and learning not too dissimilar from an interpellation of Guattari's ethico-aesthetics^{lvi}. Has there even been an art/law turn? It is interesting to suggest that this (re)surge in the interest in art and law is coming from many angles, most notably from the works of artists, as well as in legal teaching, making this extant focus on art and law empirically different from previous theoretical engagements in law, politics and aesthetics. In teaching and research, legal academics have been using arts practices to critically dissect law in their teaching for some time (fig. 1), such as Bottomley and Lim and Philoppopoulos-Mihalopoulos advocating for more experiential pedagogical methods, where students are 'walking with the law' as such, taking them outside the classroom to see how the law interacts with the world around them in order to understand the pervasive role of law in the built environment^{lvii}. Olivia Barr's 'jurisprudence of movement' (2016) similarly proffers a walking and immersive method to understanding Law and its colonising footsteps.

[Inset Fig. 1 *Law and Aesthetics students at Law School*
(2014-15)]

Ziherl^{lviii} and Lütticken^{lix} have noted a 'proliferation of artists' projects that address, mimic, and intervene in the matters of the law', such as the Turner Prize nominee artist-scholar-lawyer-architect-research group 'Forensic Architecture'^{lx}; Jack Tan's 'Karaoke Court'^{lxi}; and the important work of artist, agitator Adelita-Husni-Bey questioning the role of democratic law-making processes and property in housing and protest through her art/law intervention 'Convention on the Use of Space'^{lxii} (all of which we will return to shortly). Law has become a focus of representation within forms of art, such as 'Declared Void II'^{lxiii} by Carey Young on the distinct limitations and spatial and temporal reality of law, brought to the fore through her deployment of the liminality of legal relations as exemplified within contracts and constitutions (fig. 2). Palestinian artist Yazan Khalili also allies art and law in 'I, The Artwork'^{lxiv} where he worked with a lawyer to draft a contract 'Deed of Ownership and Condition of Existence' that forbade the artwork to be owned or controlled by an occupying power, as a result of his frustration that an Israeli collector had sought to buy his work. In a similar way, law and the capitalist mode of exchange was the focus of artist Kojin Karatani's 'The Structure of World History: From Modes of Production, to Modes of Exchange'^{lxv}, offering an insight into how law and capital structures society and engenders ongoing inequalities as a result. These are just a few of the many other artists such as Zuleikha Choudhuri, Alicja Rogalska, Marco Godoy, Helen

Knowles, all specifically engaging with concepts and practices of law, court processes, witnessing, contract, property, disputes, and rights within their practice and focus of their work^{lxvi}.

[Insert Fig. 2 *Declared Void II* (2013), Carey Young]

The '/' of Art/Law

"The act of resistance has two faces. It is human and it is also the act of art."

Gilles Deleuze 'What is the Creative Act?'^{lxvii}

So what is the '/' of art/law? Questions of art, politics and ethics are intrinsically bound to art/law. For instance, the semiotics of discerning what constitutes politics and political action, assumes reference to rights and freedoms. Pilcher^{lxviii} directly relays the political, through Mark Wallinger's 'State Britain'^{lxix} as an example of art and resistance shifting the boundaries of law, and consequently what we consider art, and/or legal or illegal protest. To step further and assert politics as a creativity is an assumption of ethics and justice borne of and with the aesthetic, yet as Oscar Wilde once asked, "how can art be both aesthetically beautiful and morally destructive?". Art, however, has morphed away from a concern for formal beauty, where to be aesthetically-pleasing, begs the question, 'for whom?'.

Tracing some kind of relation between art, law and resistance may not always be considered useful or possible. More productive is to understand them as one, their historically enforced separation, and the increased prevalence and necessity of their reunion. The '/' of art/law is, therefore, resistance, where an assumed duality of legality and artistry is not the case, resistance being alternating change, a renewal, and an opening. Yet art and law specifically are known for their separate attempts at appearing peculiar entities to themselves, their autonomy and unity as the basis of their legitimacy, their category. However, paradoxically, their juridical regeneration only happens through their encounter with uncertainty, the 'events' of the political reality that inscribe the next course of action for art/law where "artistic activities become co-creators of legal and political reality and by extension the expressive material of art becomes a creative part of the law"^{lxx}. Questions of resistance are less prescient within Anglo-American legal theory around art and law, than art history scholarship of relational aesthetics and socially engaged art. In true convergence of subject of research and research method^{lxxi}, art history and philosophies of art can further our understanding of the / of art/law.

The last twenty years has seen an increasing literature pointing to the deliberate use of art and creative practices within resistance, reflecting a conscious paradigm shift within art practices becoming 'socially engaged', 'dialogic', and 'participatory'. In critic Bishop's 2016 biography of socially engaged art and its connection to spectacle, she speaks of a *social* as well as *ethical* turn, where within art^{lxxii}.

"..questions of conscience and obligation, of recognition and respect, of justice and law, which not so long ago would have been dismissed as the residue of an outdated humanism, have returned to occupy, if not centre stage, then something pretty close to it."

Bishop gives a genealogy of deliberately coupled art and politics, starting with Italian Fascism and the Futurist movement, and the various Avant Garde movements of the twentieth century that followed, notably Dadaism and the Situationist International (SI). Echoing on the multitudinous ways in which politics has failed to curb war, violence, capital and ideology, Bishop conveys the seeming necessity for art to step in to the political realm and consciously draw in the observer in order to 'do something': "... there must be an art of action, interfacing with reality, taking steps – however small – to repair the social bond"^{lxxiii}.

The turn to the social and political in Western art in recent decades has been notably influenced by the theory of 'relational aesthetics' of art historian Nicolas Bourriaud, describing modern art's move to deliberately political art. Instead of giving reference to imaginary utopias, art can now "... actually be ways of living and models of action within the existing real"^{lxxiv}. The classical understanding of 'art for art's sake' is replaced with the revelation of 'relational art' that weaves theory into human issues and social interactions, such as famous artist Joseph Beuys' 'social organism as a work of art'^{lxxv}. This is opposed to art existing in "an independent and private symbolic space", a move which Bourriaud argues is a radical upheaval within the aesthetic and cultural goals of art and its movements. Bishop in her reply to Bourriaud critiques this assumption, arguing the role of art is always to affect and instil discomfort and rupture in us . Following from Rancière, Bishop is sceptical of what she sees as the 'instrumentalisation of ethics as a strategic zone' by socially engaged art and those who commission and encourage it, culminating in a "collapse of aesthetic and political into new forms of order"^{lxxvii}.

At the same time as contemporary art changing, so too has the use of art within protest movements. McKee talks of the Occupy movement and encamped protests of the 1990s, as forms of art through

their performative and subversive gestures of alternative ways of being^{lxxviii}. Scholars^{lxxix} have spoken of the Situationist influenced 'artivism' of the alter-globalisation movement, referring back to spectacular events such as the Battle of Seattle 1999 as a critical juncture of resistance against the growing behemoth of globalisation and the structural adjustment programmes of the Washington Consensus financial institutions, International Monetary Fund, World Trade Organisation and the World Bank. Or the anti-roads and political rave movement 'Reclaim the Streets' in the UK who sought to save land from development and protest against the illegalisation of rave culture (as well as gypsy and traveller ways of life and further limitations on squatting) under the Criminal Justice and Public Order Act 1994, using subversive, Situationist-inspired humour and civil disobedience, typified directly through their symbolic occupation of time and space.

It is a wonder what the anti-advertising culture-jammers, graffiti writers and street artists^{lxxx} of the 1970s and 1980s (not least the SI and Dadaists of the years preceding) would say about an apparently methodical turn to political engagement within mainstream art, and this prescribed distinction between political and non-political art as well as an overt use of legal forms in artists' works^{lxxxi}. The rapid abstraction of form within Western Aesthetics from Expressionism to Cubism, Futurism and Russian Constructivism, that paved the way for Dadaism, Surrealism, and the SI, was an open, defiant and delegitimation of established aesthetic canon away from the aesthetically pleasing to a cerebral experience and political positionality. These artists *deformed* aesthetics so as to subvert and question; the SI became known for their acts of *détournement*, the subversion of capitalist symbols and signs in an act of defiance to the rapid commodification of everyday life, as well as art and artistic practice. Marcel Duchamp^{lxxxii} moved the realm of the everyday into the world of legitimately acceptable aesthetics through appropriation and re-appropriation of seemingly artless objects, bringing into question the very limits of art and politics and the role of the audience in asserting this. This followed with the advent of Pop Art where the visual and performative arts were further freed from their limiting painterly forms and yet synchronically advanced their move into the realm of commodity, property and global mainstreamism even moreso. Nevertheless, it was this preceding turn of appropriation and subversion that brought to the fore the political nature of art and the artists, and the role art can play in fostering radicality, critique, and social change through protest.

Scholette^{lxxxiii} critiques this to the point that we now have art/life completion, but this at the detriment of anything really being 'new', inspiring, or the understanding the limits of phenomena that may not be art forms, where the 'artification' of areas of life just mean that they become new

commons that can be extracted by capital, alongside the further value-added nature of the artist's role. Is this the same thing that is happening to law, or is there more to Art/Law than an aesthetic fad at the end of art?

Spectacle, Form and Property in Art/Law Worlds

"Claustrophobic, tautological, our bare art world is our bare art world is our bare art world"

Gregory Scholette 'Delirium and Resistance'^{lxxxiv}

Karavokyris asks the question, could it be that art and law do not differ at all, ontologically and methodologically?^{lxxxv}; but what if we were to ask the same question of art world and law worlds, synchronically?

The ambiguous and complex make-up of the art world, from museum, to radical art school, to gallery, to dealer, to artist, makes for an uneasy description. McKee, instead of using the connotation of art world that "connotes a unitary, self-enclosed universe of like-minded cognoscenti making, viewing, judging, and sometimes buying and selling works of art"^{lxxxvi}, which given the inequalities the term 'art world' that Becker^{lxxxvii} spoke of does not suffice – he refers to it as an 'art system'. The art system is not one that works evenly and simply with each element of its entity working in equilibrium, but more the unstable meshwork of a complex adaptive system that inherently creates an "ever-present potential for antagonism between what Pierre Bourdieu^{lxxxviii} would call the dominant and dominant and dominated elements thereof"^{lxxxix}. Scholette^{xc} describes akin the inequality of the art world where those who labour make up its majority are its 'dark matter', those unseen and unrepresented within the industry who uphold and create the successes of the very few well known artists.

The culpable role of the 'art world', co-determined by the 'law world', in supporting and upholding systems of capitalism where art is traded as a form of moveable property, commodity and economic instrument through histories of material aesthetic imperialism, is situated as central to maintaining the artificial separation between art, law and resistance. This is not a novel interpretation, and one reliant upon a Marxian questioning of separation and negation of the spectacle, the alienation of the worker whether artist or otherwise, from their true creative selves through the forces of production. This is further relayed in Rancière's distribution of the sensible, where all that we perceive, and sense is divided up and categorised by capital^{xc1}.

There has been surprisingly little critical analysis of the connection between the art market and the law market. Rotter has commented on the insufficient attention has been paid to ways in which law defines and gives content “to broadly accepted ideas about art”^{xcii}. Surely there has been a wealth of philosophical discussion around the commodification of creativity, and the ‘end of art’ where true art is deemed by Hegel^{xciii}, Adorno and Horkheimer^{xciv}, Debord^{xcv}, Danto^{xcvi}, Kosuth^{xcvii}, to have come to a finitude with Western capitalism, and indeed, beyond it. Art in the mode we understand it today, is a product and security to be bought and sold where “the explicit social manipulations that are necessary to maintain perceived value in the face of technological advancement provide a window into the social construction of art as a valuable commodity”^{xcviii}. Truly, art is individual property.

Rotter argues that law helps to maintain art’s aura and its autonomy, “it impacts both the practice of art and how we as a society interact with it and take an interest in it”^{xcix} through the unique treatment of art and its artists, via legal categories of permissible expression, rights of artists and the economic benefits of its patrons. In spite of Rotter’s less critical take, it is a useful illustration of the influence of law, on the way the art world is structured around art as property, and artists as owners. Bishop’s explicit connection between value judgements around art and government policy and law, is less positive. She connects a rise in ‘participatory practices’ to its viability with business and commerciability^c, with reference to the ‘Everyone is a Creative’ Green Paper of New Labour in 2001. She associates the David Cameron-era ‘Big Society’ with the rise in co-curation and co-working as encouraging unpaid forms of artistic labour, whilst also enticing in the excluded, the outsider, the spectator into the art process, product and form.

The flexibility of the ‘no collar’ art worker as she describes it, to the neoliberal order, is discussed furiously by artist and activist Scholette, where “today, artists are simply another worker, no more, no less”^{ci}. Repeating materialist critiques of capital’s alienating force, Benjaminian incantations of art’s lost aura in the age of mechanical reproduction, the increased heteronomy of contemporary art, and the arguments for art’s autonomy are as paradoxical as the same for law’s autonomy. Derrida and Foucault have questioned this enforced separation through the monopoly of violence of the modern sovereign state, resulting in claims of positive legality where state law has institutionalised itself through the techné of capital and property. This same instituting process has occurred with and co-determined by, the establishment of the art world. Just in the way it has been necessary for Common Law and Civil Law jurisdictions to take hold of the plurality of laws and resistances outside of its realm, and coalesce them into a unified object of law, the same can be said

for the art institution - its authority as its unicity. In contrast to the art establishment, Bishop speaks of the discipline of art's boundary-making as necessity to "paradoxically remain autonomous in order to initiate or achieve a model for social change"^{cii}, where there rests a tension between artistic and social critique. But what does this tell us of the instituting role of property within both art and law worlds, and how they precipitate one another's *form* as a result? In a not unrelated way, what is the connection between the historical materialism of property and capital, and the (im)materialism of artworks used, moulded and performed by artists, and how does this relate to a furtherance of art/law?

Property and intellectual property of copyright is the dominant framework by which law understands art, and indeed, names it and demarcates what it is, within a specific language. The closest we come to a definition in England and Wales is defined under the Copyright Designs and Patents Act (CDPA) 1988 as an 'artistic work' "irrespective of its artistic quality" (section 4 (1)(a)), repeated under Article 2 of the international treaty the Berne Convention for the Protection of Literary and Artistic Works 1986. Following Marx, thinkers such as Durán^{ciii}, Martin^{civ}, Spaulding and Demby^{cv}, Hudson^{cvi} have described the central role of property within the form of artworks produced as a result. Durán^{cvi} argues the congenital role of intellectual property law in the flow of capital and production of commodity form, and the 'activity of art as property':

"Artistic proprietorship is based on the assumption that what is fabricated or simply chosen—that is, the artistic object—is the material realisation of the subjective and thus unique and singular intellect. Before the artist appears socially as owner of the products of thought, he is constituted as a private owner of thoughts. It is this private ownership that is sanctioned by intellectual property rights."

Wickenden^{cvi} further connects the effect of categories of individual property on legal definitions of what constitute artworks within the CPDA and other instruments, and the resultant form legally defined art works may take (and which artists are protected). She argues the now outmoded definitions of art within intellectual property law, arguing the influence of formalism within art historical theory that is outdated and leaves the legal definition "vaguely defined and do not adequately reflect contemporary artistic practice". Instead of composition, order, spatial and temporal construction of figures and sensations within a piece rendering something an artwork, she argues for an alteration within the CPDA to include what qualifies as an artistic work should be linked to artistic purpose, albeit with concerns of denoting intentionalism attached. The *numerous clausus* or closed list nature of how an artistic work is defined, illustrates the powerful role law has in determining what is considered a work of art or otherwise^{cix}, the limiting construction of art by the

boundedness of law, whilst a legal authority that according to Wickenden, is informed and held up by aesthetic theories of form connected to property.

Consideration of form is congenital to recent object-oriented-ontological discussions of the importance of aesthetics within philosophy, and yet within art history, anti-formalism is a rebuff to the aesthetic positivism of formalism that has come hand-in-hand with the dawn of conceptual, non-representational, and socially-engaged art. The conflicting yet co-present role of formalism across both art and law infers an authority to form, a *formality*, a *property*. The *numerous clausus* reasserts the central role of property in law and capital, defining what art is, in a move reminiscent of the closed list of legal estates and equitable interests of section 1 the Law of Property Act 1925, where all other imaginations and practices of what properties may exist outside, are excluded in a dualism of informal, and thus a claim to entitlement unprotected^{cx}. Does the fetishism of the commodity, the combined obsession of protection from and protection to, appropriation, mean the version of law that upholds copyright, at least in the Common Law traditions, completely misunderstands art? Or perhaps it is more that any form, formalism or institutionalisation, misunderstands creative and poietic pluralism of change and uncertainty.

Maclean^{cx} relays the increased prevalence of forgery indicative of a specific connection between the development of artistic proprietary rights and Western capitalism's view of the artist's individual genius that cannot be reproduced. Fakeness and inauthenticity uphold the 'originality' of art as capital, and a genealogical intersection of individual property within creativity in Eurocentric markets *per se*. What paradoxically is present within discussions of authenticity and capital, is also found within Benjamin's conception of the aura within art – that which is lost through facsimile, predominantly in reference to photography but with prescience to questions around links between the autonomy of art beyond its surplus value and legal proprietorial claim, and the role of material affect that may support art as an object internal to itself.

David Joselit^{cxii} describes art as a currency, one that transcends description and vests great power in the image, produced at the intersection of value and form. Value and form are expressions of property, as tangible material and intangible surplus. Art's value is derived from the Western preference for the individual genius of the artist that is second in the world to the most conveyed form of capital other than land - a moveable and highly transitory form of asset. As the likes of Adorno, Debord and Jameson made clear, art is imbricated within the production and consumption of commodity, radically opposed to and yet simultaneously supported by its integration into the

industries of capitalism, significantly supporting the economic base of global capital as a form of high value property, as opposed to just being symbolic of it^{cxiii}.

Thus, there is a complicit role of aesthetic forms within the spread of property and the reliance of these aesthetics on legitimation through the support of law, as well as the exclusion of non-Western forms of aesthetics and law^{cxiv}. The matter of art is the cannon fodder of capital's accumulation, where the exploitation of surplus value of the artist's labour is simultaneously the extraction of *affect* to produce certain *forms* of law as aesthetic and aesthetic as law^{cxv}. In order to overcome this, an understanding of art/law must open the closure of art to capital's form, through allowing for matter's own power to change, resist, and alter us, through material and (im)material *practices* of art and law, artists, lawyers and agitators and their *audiences*; making space for the entropic movement of change and uncertainty as justice in the *'/'*^{cxvi}.

Art/Law as Resistant (In)Formalism

"Without entropy there would be no possibility of exchange, and without entropy there would be no art."

France and He'naut 'Art, therefore entropy'^{cxvii}

[Insert Fig. 3 *White Paper: The Law* (2015), Adelita Husni-Bey]

[Insert Fig. 4 *Convention on the Use of Space* (2015), Adelita Husni-Bey]

Right at the beginning of this journey into art/law, was an important invitation by artist-agitator Adelita Husni-Bey to participate in the drafting of a convention on use-value property, that was also a piece of art. 'White Paper: The Law' ran in collaboration with Casco, Office for Art, Design and Theory, Utrecht, Netherlands in 2015 (fig. 3). A call of protest and squatting movements seeking to assert a new way of property, and even a new way of art, 'White Paper' was a powerful coming together of art, occupation, property, radical law, housing, home and protest expressed within squatting practices and communities. Groups of scholars and activists were involved in the writing of the convention to reflect the wishes of the squatting community when fighting evictions where a 'use-value' understanding of property in law, could be used by the squatting community in the Netherlands. The CUS 'Convention on the Use of Space' was drafted with the aim of being used as a viable document by and for squatters in defence against a number of threats to their existence and way of life in light of the criminalisation of all squatting in the country since 2010. As part of the final exhibition, various documents and media taken from the drafting meetings were shown as works of art simultaneously (fig. 4). This public drafting of the law was a contemporary reminder of the people as legislators and the unremitting role of law within protest, particularly around the right to

housing, the right to a home, and the right to use and not to own *per se*. This was innovation of an agonist law, a re-conceptualisation of property in terms of a nonlinear, transient and practice-based coming together of art and law. Husni-Bey's insurgent intersection of art, law and protest, set the standard for the possibilities of art/law to come, an altered space of the unknown, a meeting of minds, cooperation and learning that art, law and resistance's re-worlding can bring.

Another artist working with the space of uncertainty and change of law and justice, appreciating the importance of using his cross-section of both legal and creative thought, is lawyer-artist Jack Tan whose 'Karaoke Court' (2015) has been demonstrating the power of song in resolving disputes as per the *Inuit* tradition of the 'song duel' (fig. 5). Participants are given an opportunity to a real-life disagreement, within the setting of a mock court in a theatre where the audience direct a real Circuit Judge as to which claimant should win, based on their assessment of the singing. The decisions are unforeseen and have legally binding consequences, the ruling becomes a contract the parties agree to adhere to once they leave the Karaoke Court space.

[Insert Fig. 5 *Karaoke Court* (2015), Jack Tan]

[Insert Fig. 6 *Art/Law Network Design* (2016), Neeta Pederson and Lucy Finchett-Maddock]

Is this what Bishop would see as participation merged with spectacle? Perhaps so, where audience, advocate, victim, culprit, and judge are all playing the role as part of the picture. Inspired by Husni-Bey's movement-centred legislation, the 'Art/Law Network' was formed in 2015, with a specific desire to 'create new social relations' at the intersection of art and law, where artists, lawyers and agitators work together, sharing and merging practices, in the name of social change (fig. 6). The convergence both on and off line, of events, collaborations, connections, is a living and breathing aspiration of art/law and one in its early days. Being part of this network has been vitalising and holds much more in its continued ambition to create junctures where advocates, thinkers, creatives of all forms, can work together.

Art/law has been no more exemplarily expressed within the Turner Prize nominated work of the Goldsmiths-based Forensic Architectures' research group. Using architecture as 'an optic tool' in the investigation of human rights violations, their methodology focusing on matter and its propensity to change, where 'material artefacts'^{cxviii}:

“..relevance is located not exclusively in what they can tell us about the historic events to which they gesture as technical witnesses, but also in their struggle to meet the court’s demand for coherent accounts of history”.

Here Susan Schuppli (key thinker within the collective, alongside Eyal Weisman), is referring to two defective video tapes in the aftermath of the massacres at Izbica and Padalishte, Kosovo, in March 1999 used as evidence in the trials of Slobodan Milošević and Milan Milutinović at the International Criminal Tribunal for the Former Yugoslavia (ICTY). These tapes had changed and decayed over time, and yet Schuppli argues as a result provides a ‘material biography’ of the event recorded, the altered aesthetic as a result of the decay bringing to the fore the inertness and trauma of the dead bodies that may or may not have appeared so apparent previously (fig. 7). Schuppli describes the “political dimensions are rendered visible”^{CXIX}, as the material bears witness “..forcing an intensification of affect that supplements and at times even supersedes the horror and despair captured on video”^{CXX}.

[Insert Fig. 7 *Video Grabs Padalishte Massacre*, Susan Schuppli (2015)]

It is the work of artists-come-agitators-come-lawyers such as Husni-Bey, Tan, Forensic Architectures and Art/Law Network, that is forging the path of art/law, in a way empirically different from previous forms of legal, creative and resistant action, by accounting for the alternation of *change*, within their accounts of law, and within their *practice*. This is where form, composition and its metamorphosis, meet with its environment, accounting for legality and what is argued here, movements of justice. This may be as simple as contact with air in its processes of degradation. In another way, this may be where an object of art/law, whether that be legal statute, sculpture or protest banner, meets its *audience*. The uncertain dimensions that may come as a result of this, are the congenital heart of the work, creating a *resistant (in)formalism* that critiques the formalism of individual property aesthetics, or the commodity form.

Acknowledging previous ways artists have or have not taken into consideration their audience, this harks back to the debate around relational aesthetics and art’s ability to always render a political response, as opposed to deliberate provocations of social engagement. But this specific accounting for the uncertain, for disorder, is recognising the incompleteness of law and justice, not just a shift to a relational aesthetics where there is a deliberate political end of an artwork. As Coole^{CXXI} describes, “many artists and designers are returning to matter to explore immanent, elusive, and reclusive, properties of materials, working with chemical or biophysical qualities in response to degrading or emergent forms and their provocative invitations”. This new materialist philosophy of

the becoming is an integral ethos of the art/law practice becoming prevalent, and necessary, reasserting an incompleteness in an age that seems to only strike to complete, full of resurgent totalitarianisms. Connecting the dots to a critique of capital, accounting for matter speaks to an Althusserian materialism of encounter that McKee describes as an 'aleatory jurisprudence'^{cxxii}, illustrating a theory of surplus value also within new accounts of matter and change. As Diederichsen argues, the interplay of formal and informal, material and immaterial [...], "[i]s a theory of input/objectification and output for purposes of exchange"^{cxxiii}, where the spectacle exploits all matter and affect, and will seek to exploit even the birthing of art/law.

What Kayman^{cxxiv} refers to as the legal power of the 'liminality between the inert and the animated' is the move from informal to formal, where a turn to matter and mattering, is an expression of the power that objects echo back over law, and a recognition of the demoted place of the sovereign human who thus far has not instituted responsibility for this. This tells of a compound and emergent art/law, where at each given iteration, there is a confounded newness that is an entropy, a whole that is not the sum of its parts. This relates to Harman's object-oriented-ontology that does not argue the existence of intangible relations but does so the material and (im)materiality of objects and objects' experience of themselves and other beings inert or otherwise, as opposed to purely anthropocentric claims to experience and perception. There is an inherent point of departure, therefore, between Harman and Bourriaud, to the extent that Harman aims to decontextualise the object (or in this instance, an artwork) so as to reveal that which is hidden to human cognition, as it is always already within its 'frame', some arguing supportive of a formalism and representationalism. Whereas Bourriaud's 'artwork as social interstice'^{cxxv} specifically catalyses the human experience as a series of interactions, coinciding with Western art's calculated turn to consider works and their social engagement. Harman would argue that art worlds and law worlds are onto-epistemic objects existing materially but also immaterially, they talk to one another^{cxxvi}. Both Harman and Bourriaud, however, are speaking of the affect and (im)mater of form, that "... does not represent a theory of art, [as] this would imply the statement of an origin and a destination, but a theory of form"^{cxxvii}.

In a similar way, Lyotard asked^{cxxviii}, "what is it to experience an affect proper to art?" This consideration of the interaction of art with its surroundings was poised in his writings on the sublime and the avant-garde and can be helpful when considering how art itself may experience law, and vice versa. He stated that it is thanks to art, the soul is returned to the agitated zone between life and death^{cxxix}, a conjuring that speaks of the similarly extraordinary role of the juridical.

This breaking down the institutional artifice of art worlds and law worlds, offering a form of resistant (in)formalism, accounts for entropy and change, describes the role of form, audience and practice within property, legal and aesthetic establishment.

Onto-Epistemic Ethics – Practice, Audience, Change

Art/Law brings with it a sense of urgency, an ethical demand that sits at the end of law in the sense of an end of any law with force, that knows its origin in land, as matter. Global law today, is a scaffold that upends commerce, and has been made to do so, no longer recognising its material beginning. It only seeks to re-exploit, re-extract, re-render the political and capitalise in order to further its aims, of which it has forgotten in an amnesia of property and institutionalisation. At the same time, art/law enters in a contemporaneity of colonised voices thrash at the pain of Western law's past and continued ignominy. Whilst global legality is busy eating itself, doused in flames of capital, this strength in new generations poses an opportunity, a plurality, a decolonial opening of recognition; new worldly aesthetics and legal pluralisms. Art/law is occurring at one of the many ends of art, where there is a possibility to extend a philosophy out of its finality^{CXXX}, as well as recognition of art before the era of art and the colonisation of legal-aesthetic form^{CXXXI}.

Art/law is 'post-medium' where the artist/lawyer/agitator is as one, as well as the *audience*. In this sense the 'onto-epistemic ethics' of Karen Barad explains the centrifugal role of matter and change in art/law through practice, creating paths of seeing, knowing, being and learning. Barad puts forward the political necessity of understanding how we come to know the world around us as connected to the way we are, how we 'be'. This is through *agential realism* where we do not interact, but *intra-act*, creating and performing new moments or objects each time we walk within the world, through the performance of our matter; a mattering of ethics, the senses our intra-actions create, and how we are in turn able to acknowledge this.

Atkinson^{CXXXII} uses Barad to speak of the affective force of art in terms of a 'poietic materialism', "where the notion of poiesis refers to the process of appearing, the appearing of new possibilities for making, seeing, thinking, feeling". It is this same affective force that is necessary right now with art/law, where we are able to use our 'seeing power', as Thompson^{CXXXIII} calls it, and forge meaning, existence and erudition distinct and wise of the past, with a graceful treatment of the future. It is a call to the intangible similar to Fischer-Lescano, who proclaims "only when the law does justice to the rational and the arational alike will a different law 'beyond legal violence' become possible"^{CXXXIV}.

We have the power to *see through matter*, or better still see *with* matter. This is not a visual technique, but the manipulation of matter, and matter's manipulation of us, through a central ethos of practice^{CXXXV}. Practice repeats Haraway's^{CXXXVI} fabulation, imagination, narratology through touch, skill, dexterity, presence, tactility, resourcefulness, and practicality. Relaying the importance of the use of tools, Sammons reminds us of what can be learnt from art and law coming together: "What there [is] to teach, therefore, [is] not a technique, but a way of being with the materials of the art, a certain form of receptiveness to their own separate existence"^{CXXXVII}. Further, Watt speaks of the similarity between the practices of law and art^{CXXXVIII}:

"Only when legal practice is re-imagined as the creative art of moving minds through rhetorical performance do the deep and ancient connections between legal practice and critical, ethical thought become obvious. We will then see that 'moving' minds is not coercive, but communal. We move others when we ourselves are open to be moved and when we are able to imagine ways of moving."

This brings us back art school and law school, where art and law are educated, where the institution of property is learnt, both Scholette and Bishop seeing pedagogy and the development of new institutions as the turning point of new matterings. Instilling a pedagogy of art/law in both legal and artistic institutions, recasts the mould to incorporate the unknown in a speculative ethos of audiencing. For Daney 'all form is a face looking at us', the call of the Other, the uncertain, the unknown; and it is that which is inexplicable but must be accounted for.

A Re-Worlding - Art/Law Convergence

"Rather than the destiny of state and nomad, critical scholarship needs to contend with the crafting of diagrams and exploring the potential of the artisan."

Bottomley and Moore 'Law, Diagram, Film: Critique Exhausted'^{CXXXIX}

In recent years, the artist has increasingly been looked to as a progenitor of change, by engaging with global politics. Justice and injustice are clearly catechisms that are troubling not just jurists, judges, politicians (you would hope), but also artists, seeking to be the filter for those who are experiencing inequity in all its myriad and phantasmic forms, relayed back to us through our online networks or our corporal engagement.

Bishop speaks of a need for perversity, paradox and negation in aesthesis^{CXL}, and to someone unfamiliar with legal and aesthetic theory, nothing is more absurd and abstruse than a coterminacy of art and law: two supposedly entirely unrelated entities that would seem to almost repel, yet in their repulsion are the greatest of attractors. As we know this convergence of the autonomies of art

and law, is possibly through the bridge of change and resistance in the '/' where the phenomena of art/law is an overt imbrication of Art and Law for social change. It suggests a space where artists, lawyers and activists are working together, where the artist and the lawyer are gatekeepers to knowledge bridging the philosophical and the practical in response to divisive geopolitics, whilst simultaneously realising the culpability of the art world in relations of commodity, property, colonialism, law, ultimately revealing nonduality of art, law, resistance in turn. If anything, art/law should teach us the power of our handicraft, the force of our might and the diligence of our concentration, to breaking down violent boundaries and build new imaginary institutions^{cxlii} from the informal sculptures of matter, practice and change.

Acknowledgements

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9581 Words Including Endnotes

ⁱ Slaughter M 'The Arc And The Zip: Deleuze and Lyotard On Art', *Law and Critique* 15 (2004), p257.

ⁱⁱ The journey towards this body of work started with a StreetLaw (StreetLaw Brighton, 2014) project at Sussex Law School. Myself, along with six law students undertook a clinical legal project with local Brighton gallery 'Art Schism' looking into the legalities and illegalities of street art and graffiti, where law students engaged in artistic practices and witnessed the effect and affect upon themselves, and othersⁱⁱ. It was this project that led to the next three years' of my engagement with art in law, culminating in the development of an 'Art/Law Network'. It led me to put together a course on Law and Aesthetics that had artists' involvement at its core, with law students creating art and myself using creative and artistic methods not just to communicate law, but to critique its ontological and epistemological foundations through reinforcing the performativity of authority. We wrote poetry with quills, understood legal and illegal affect through spraypainting sessions and dismantled legal conceptions of beauty through copyright case studies of music, sound and street art. The course now will have for the first time an art piece as a form of assessment, and there is now a departmental-wide 'Art/Law Teaching Theme' for 2018-19.

ⁱⁱⁱ Hart HLA *The Concept of Law* (New York, Oxford University Press, 1961).

^{iv} Kelsen H *Pure Theory of Law* (Berkeley, University of California Press, 1967).

^v Young A 'Aesthetic Vertigo and a Jurisprudence of Disgust', *Law and Critique* 11 (2000), pp241–265; Young A *Judging the Image* (London, Routledge, 2005).

^{vi} Hegel GWF *Hegel's Aesthetics: Lectures on Fine Art* (Volume 1) (Oxford, Clarendon Press, 1975).

^{vii} Danto A 'The End of Art: A Philosophical Defence'. *History and Theory*, 37(4) (1998), pp133.

^{viii} Adorno T Benjamin W Bloch E Brecht B and Lukács G *Aesthetics and Politics* (London, Verso, 1977).

ix Debord G *The Society of the Spectacle* (New York, Zone Books, 1995).

x Rancière J *Disagreement: Politics and Philosophy* (Minneapolis, University of Minnesota Press, 1999); Rancière J *The Politics of Aesthetics: The Distribution of the Sensible* (London, Continuum, 2011).

xi Davies M *Law Unlimited: Materialism, Pluralism and Legal Theory* (London, Routledge, 2017)

xii Tamanaha B 'A Non-Essentialist Version of Legal Pluralism', *Journal of Law and Society* 27(2) (2000), pp296–321.

xiii Davies, *Law Unlimited*, p3.

xiv Karavokyris G 'The Art of Law', *Law & Critique* 25 (2015), p68.

xv It is also the result of an interesting discussion at the birth of the Art/Law Network, the term art/law proposed as most fitting by Emeritus Professor Anne Bottomley, Kent Law School, to determine the oneness of art and law, and the redundant 'and' such as in the law and literature movement.

xvi A famous example might be that of blind justice (Goodrich P *Legal Emblems and the Art of Law: Obiter Depicter as the Vision of Governance* (Cambridge, Cambridge University Press, 2013); Goodrich P *Imago Decidendi: On the Common Law of Images* (Leiden, Brill, 2017); Douzinas C and Nead L *Law and the Image: The Authority of Art and the Aesthetics of Law* (Chicago: University of Chicago Press, 1999); Manderson D *The Metastases of Myth: Legal Images as Transitional Phenomena*, *Law Critique*, 26 (2015), pp207–223; Ben-Dor O (ed) *Law and Art: Justice, Ethics and Aesthetics* (London, Routledge, 2011), or the scales of justice. These are the aesthetics of law, to the extent that they are ways in which law is represented and communicated in forms of art and imagery. How creative forms are evident in law, such as within legal decision-making, legal method, lawyering and advocacy, we might understand as legal aesthetics. Decisions of what is beautiful and otherwise refer to laws of aesthetics, that may or may not involve state laws that regulate aesthetics.

xvii Goodrich P *Legal Discourse: Studies in Linguistics, Rhetoric and Legal Analysis* (London, Macmillan, 1987); Goodrich P *Law in the Courts of Love: Literature and Other Minor Jurisprudences* (London, Routledge, 1996); Douzinas C Warrington R and McVeigh S *Postmodern Jurisprudence. The Law of Text in the Texts of Law* (London and New York, Routledge, 1991); Gearey A *Law and Aesthetics* (Portland Oregon, Hart Publishing, 2001); Ben-Dor, *Law and Art*.

xviii Gabel P 'Reification in Legal Reasoning', *Research in Law and Sociology* 3 (1980), pp5-51; Kelveson R *The Law as a System of Signs* (New York, Plenum Press, 1988).

xix Moran L 'Visual Justice: a review essay', *International Journal of Law in Context* 8 (2012), pp431-446; Moran L 'Judicial pictures as legal life-writing data and a research method', *Journal of Law and Society* 42(1) (2015), pp74-101; Mulcahy L *Legal Architecture: Justice, Due Process and the Place of Law* (London, Routledge, 2010); Mulcahy L 'The Eyes of the Law: A Visual Turn in Socio-Legal Studies?' *Journal of Social and Legal Studies* 44 (2017), pp111-128; Perry-Kessaris A 'The Case for a Visualised Economic Sociology of Legal Development', *Current Legal Problems* 67 (2014), pp169-198; Perry-Kessaris A 'The Pop-up Museum of Legal Objects Project: An Experiment in Socio-Legal Design Special Issue: The Pop-up Museum of Legal Objects', *Northern Ireland Legal Quarterly* 68(3) (2017), pp225- 245.

xx Gearey A *Law and Aesthetics* (Portland Oregon, Hart Publishing, 2001), p26.

xxi Gabel *Reification in Legal Reasoning*, pp5-51.

xxii Manderson D *Songs without Music: Aesthetic Dimensions of Law and Justice* (Berkeley, University of California Press, 2000).

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- xxiii Ramshaw S 'The Paradox of Performative Immediacy'. *Law, Culture and the Humanities* 12(1) (2016), pp6–16.
- xxiv Markesinis B *Good and Evil in Art and Law: An Extended Essay* (London, Springer, 2007); Wilkinson J H 'Subjective Art; Objective Law', *Notre Dame Law Review* 85(4) (2010), pp1663-1686; Duong W N 'Law is Law and Art is Art and Shall the Two Ever Meet? Law and Literature: The Comparative Creative Process', *Southern California Interdisciplinary Law Journal* 15 (2005), p1-44.
- xxv Wilkinson, *Subjective Art; Objective Law*, p. 1685.
- xxvi Wilkinson, *Subjective Art; Objective Law*, p. 1685.
- xxvii Duong, *Law is La and Art is Art*, pp43.
- xxviii Duong, *Law is La and Art is Art*, pp43-44.
- xxix Vatulescu C The Face to Face Encounter of Art and Law. *Law and Literature* 23 (2011), pp173-194.
- xxx Turley in Wilkinson, *Subjective Art; Objective Law*, p1664.
- xxxi Martinez C S 'Art and law in the age of digital production', *History of Photography* 22(1) (1998), pp14-17.
- xxxii Kee J 'Towards Law as an Artistic Medium: William E Jones's Tea Rooms', *Law, Culture and Humanities* 12(3) (2016), p693.
- xxxiii Martinez, *Art and Law in the age of digital reproduction*, p14.
- xxxiv Sammons further delineates the multitudinous ways that law unravels itself as an artform through: "the art of rhetoric, the art of persuasion, the art of narrative, the art of legal writing, the art of the judicial opinion and the art of reading those opinions, the art of counselling and of being present to clients, the art of speaking for others, and the art that all the virtues require, the great art of practical wisdom" Sammons J Can Law be Art? *Mercer Law Review* 66 (2014), p529.
- xxxv Martinez, *Art and Law in the age of digital reproduction*, p16.
- xxxvi Karavokyris, *The Art of Law*, p68.
- xxxvii Sammons, *Can Law be Art?*, p539.
- xxxviii Benjamin W *The work of art in the age of mechanical reproduction* (London, Penguin, (2008).
- xxxix Rancière J *Disagreement: Politics and Philosophy* (Minneapolis, University of Minnesota Press, 1999).
- xl Sammons, *Can Law be Art?*, p544.
- xli This is reflected on by Mulcahy (2017) as dominating doctrinal accounts of the ways law and art interact in the commercial setting of the art market.
- xlii Philippopoulos-Mihalopoulos A *Spatial Justice: Body, Lawscape Atmosphere* (Routledge, 2015); Cooper D *Governing out of Order: Space, Law and the Politics of Belonging* (London, River Orum Press, 1998); Valverde M *Chronotopes of Law: Jurisdiction, Scale and Governance* (London, Routledge, 2015); Keenan, S *Subversive Property: Law and the Production of Spaces of Belonging* (London, Routledge, 2014; Finchett-Maddock, L, *Protest, Property and the Commons: Performances of Law and Resistance* (London, Routledge, 2016).

xliii Rose G 'On the Relation between Visual Research Methods and Visual Culture', *The Sociological Review* 62 (2014), pp24–46.

xliv Debord, *The Society of the Spectacle* (New York, Zone Books, 1995).

xlv In socio-legal studies, Mulcahy (2010, 2017) and Moran (2012, 2015) have worked on the image and the visual within courts, judicial processes, legal history and architecture for some time with Moran's 'Judicial Images' project demonstrating a resurgence in interest in the image and law in socio-legal studies. Likewise, Amanda Perry-Kessaris has been using visual and design technologies as a tool in socio-legal research (2015; 2017). Further supporting an argument for a reinvigoration of art/law thinking, there have been conferences with a specific focus on the intersection of law and art – the Socio-Legal Studies Association (SLSA) conference theme being 'Visual Cultures' (April, 2017); art, law and comics network 'Graphic Justice' hosting 'Directions and Distractions' conference (July, 2017; 2018); 'Law and the Senses II' at Westminster (December, 2016); as well as the 'Art Breath' series at SOAS discussing the intersection of art, law and politics (April, 2017) and themes in art and law at the Critical Legal Conferences (Sep, 2017 and 2018). Law and humanities advocate Giddens has been developing work on the intersection of comics and the law (2018) with a network 'Graphic Justice' devoted to the pictorial depiction of law in comics and vice versa.

xlvi Bottomley A and Moore N 'Law, Diagram, Film: Critique Exhausted'. *Law Critique* 23 (2012) pp166-67.

xlvii Shaw J Introduction to the Special Issue on Reimagining Justice: Aesthetics and Law, *Liverpool Law Review* 38 (2017) pp1–10.

xlviii A key force has been the transformation of social life through new forms of media and communication, the sharing of skills, artistic works, memes, and protest actions across the digital landscape, where now we have 'media justice' (Couldry N *Media, Society, World: Social Theory and Digital Media Practice* (Cambridge, Polity, 2012) where events, people are facts are judged in the court of online, and the local reporter no longer exists to report the 'facts' in a post-truth era. In a similar discussion to that in 'On Aggregators' David Joselit highlights Guy Debord's quick on the mark augury "the spectacle is capital accumulated to the point where it becomes image" (Joselit D 'On Aggregators', *October* 146 2013, pp3–18). As Benjamin once stated, extremity of power and war leads to an aestheticisation of political life (Benjamin W *The work of art in the age of mechanical reproduction* (London, Penguin, (2008), pp36–37), and we see this today with the saturation of meme, text, images, footage, where even our attention is a commodity, performed acutely via technology.

xlix Massumi B 'The Autonomy of Affect', *Cultural Critique* 31(2) (1995), pp83-109.

¹ Speaking to an emotional understanding of affect, Alison Young (Halsey M and Young A 'Our Desires are Ungovernable' *Theoretical Criminology*, 10(3) (2006) pp276-277; Young, 2013) is known for her criminological work on street art, graffiti and law's affect on its creators, Halsey and Young whereby graffiti writing is described as "an affective process that does things to writers' bodies (and the bodies of onlookers) ..." (2006: 277). Fischer-Lescano similarly calls for the emotive through the arational to be incorporated into legal method and understood as law's expression, inspired so too by affectual notions of sensing and response (Fischer-Lescano A 'Sociological Aesthetics of Law', *Law, Culture and the Humanities*, (2016) Epub ahead of print 11 July 2016. DOI: 10.1177/1743872116656777).

li Olson G 'The Turn to Passion: Has Law and Literature become Law and Affect?' *Law & Literature* 28(3) (2016), pp335-353.

lii McGee K *Bruno Latour: The Normativity of Networks* (Abingdon, Routledge, 2014).

liii Philippopoulos-Mihalopoulos *Spatial Justice: Body, Lawscape Atmosphere*.

liv Pottage A 'The Materiality of What', *Journal of Law and Society* 39 (2002), pp167-183.

lv Matthews D and Veitch S 'The Limits of Critique and the Forces of Law', *Law & Critique* 27 (2016), p350.

lvi Guattari G *Chaosmosis: An Ethico-Aesthetic Paradigm* (Bloomington, Indiana University Press, (1995).

lvii Specifically in the area of clinical law, there is a wide array of literature that promotes the use of practical and community led-learning, but there is little that relays the use of art projects within clinical legal education. Gleason and Campbell, draw from their clinical legal experience to argue for the importance of creativity within legal teaching methods. They conclude that 'students need to be encouraged to unleash their creative skills' and emphasise the 'important role' that academics play in this and the need for creativity in the curriculum (Gleason V and Campbell E 'Cultivating 21st century law graduates through creativity in the curriculum', *Journal of Commonwealth Law and Legal Education* 10(1) (2015), pp4-20). This is supported by American educationalist Katrina Schwartz who advocates how integrating arts into other subjects at makes learning come alive Schwarz K How Integrating Arts Into Other Subjects Makes Learning Come Alive, (2015) Available at: <https://www2.kqed.org/mindshift/author/katrinascswartz/> (accessed 28 July 2018).

lviii Zihelr V The Fourfold. e-flux journal 81 (2017) found at - <http://www.e-flux.com/journal/81/126968/the-fourfold-articulation/>.

lix Lütticken S Legal Forms, 'Value Forms, Forms of Resistance', *Hearings: The Online Journal of Contour Biennale* (2017) January 12 2017.

lx Forensic Architecture, Counter Investigations (2018) - <https://www.forensic-architecture.org/exhibition/counter-investigations/>

lxi Tan J, Karaoke Court (2016) - <https://jacktan.wordpress.com/art-work/karaoke-court/>

lxii Husni-Bey C, Convention on the Use of Space (2014) - <http://www.useofspaceconvention.org/>

lxiii Young C, Declared Void II (2013) - <http://www.careyyoung.com/works/#/declared-void-ii/>

lxiv Khalili Y, I, the Art Work (2016) - <http://www.yazankhalili.com/index.php/project/i-the-art-work/>

lxv Karatani K, The Structure of World History (2014) - <https://www.dukeupress.edu/the-structure-of-world-history>

lxvi There have been collections and events engaging art directly with the theme of law, such as the 'Art and Law' exhibition and workshop at the Copperfield Gallery in London (June, 2015), the 'Contour Biennale' (March-May, 2017) bringing together a series of visual, performative and doctrinal approaches in 'Polyphonic Worlds: Justice as Medium' and the resultant 'Hearings' journal combining sound and law to record narratives of evidence and testimony.

lxvii Deleuze G 'What is the Creative Act?' In: Lapoujade D translated by Ames Hodges and Mike Taormina. *Two Regimes of Madness, Texts and Interviews 1975-1995 Gilles Deleuze (1925-1995)* (Cambridge: MIT Press, 2007), pp312-324.

lxviii Pilcher J 'State Britain and the Art of (Im)Proper Protest' *Law, Culture and the Humanities* (2016) Epub ahead of print 6 July 2018. DOI: 10.1177/1743872115625433.

lxix Wallinger M, State Britain (2007) - <https://www.tate.org.uk/art/artworks/wallinger-state-britain>

lxx Agha P 'Public art as contest over meanings', In: López Lerma M and Etxabe J (eds) *Rancière and the Law* (Nomikoi Critical Legal Thinkers, London, Routledge, 2018, p151.

lxxi Rose, On the Relation between Visual Research Methods and Visual Culture.

lxxii Peter Dews in Bishop C *Artificial Hells: Participant Art and the Politics of Spectatorship* (London, Verso, 2012), p25.

lxxiii Bishop, *Artificial Hells*, p11.

lxxiv Bourriand N *Relational Art* (Paris, Les Presse Du Reel, 1998).

lxxv Beuys in Tisdall C *Art into Society, Society into Art* (London: ICA, 1974), p48..

lxxvi Bishop C 'Antagonism and Relational Aesthetics', *October* 110 (2004) pp51–79.

lxxvii Bishop, *Artificial Hells*, p28.

lxxviii McKee Y *Strike Art: Contemporary Art and the Post-Occupy Condition* (New York, Verso, 2016).

lxxix Scholette G Charnley K and Lippard L *Delirium and Resistance: Activist Art and the Crisis of Capitalism* (New York, Pluto Press, 2017); Scholette G *Dark Matter: Art and Politics in the Age of Enterprise Culture* (New York, Pluto Press, 2010); Thompson N and Scholette G (eds) *The Interventionist's – Users Manual for the Creative Destruction of Everyday Life* (Cambridge: MIT Press, 2004); McKee, *Strike Art*.

lxxx Within the work of culture jammers (Lekakis E 'Culture jamming and Brandalism for the environment: the logic of appropriation', *Popular Communication*, 15(4) (2017), pp311-327), graffiti writers and street artists all over the world, the imbrication of art, law, protest and property is at its clearest. The appearance of graffiti and street art in urban spaces brought the impact of law to the fore, where the tragedy of the commons and the privatisation of public space (Olate-Olate C and Wall I R 'The occupation of public space in Bogotá: internal displacement and the city', *Social & Legal Studies* 21(2) (2012), pp321-339) in the form of enclosed property (Finchett-Maddock, *Protest, Property and the Commons*) is performed through the daubing of the street by the artists and the writers, and the punitive responses of the law to this. Nevertheless, as Halsey and Young (Our Desires Are Ungovernable) have pointed out, the spraying of paint on the street is not an unreasonable concern to the functioning of the state, and now arguably the market. It works to commodify the art forms as licenced street art and graffiti that can become tools for gentrification as forms of advertising, not least their value as moveable property in the global art market, bringing property/commodity full circle in the mainstreaming of culture jamming. In 2014 18 year old Diego Felipe was shot dead by Colombian police in Bogota for spray painting under a bridge. This decisionism and force of the law becomes crystallised in the death of the boy, but also in its abhorrence for illegitimate aesthetic expression, and veneration of private property.

lxxxi Similarly, activists have increasingly turned to using creative practices as tactics, such as 'Timepiece', art and climate change protest performance at the Tate Modern (June, 2015), as well as art therapy projects such as Brighton-based 'Hummingbird Project' who took art therapy to the Calais jungle demonstrating the use of art as a tool for rights empowerment. Art institutions have ever more engaged with issues of community, migration law and rights through the 'Who are we project?' at the Tate Exchange (March, 2017), as an example, as well as further afield overseas in the United States where institutions positioned themselves in opposition to the inauguration of President Trump by closing their doors in protest on 20 January 2017.

lxxxii In spite of his legacy, Duchamp's famous 'Fountain' (1917) has most recently been discovered to have been made by female artist Elsa von Freytag-Loringhoven (Open Culture, 2018).

lxxxiii Scholette G Charnley K and Lippard L *Delirium and Resistance: Activist Art and the Crisis of Capitalism* (New York, Pluto Press, 2017).

lxxxiv Scholette, *Delirium and Resistance*, p23.

lxxxv Karavokyris, *The Art of Law*, p68.

- lxxxvi McKee, *Strike Art*, p11.
- lxxxvii Becker H *Art Worlds* (Berkeley, University of California Press, 1983).
- lxxxviii Bourdieu P *Distinction: A Social Critique of the Judgement of Taste* (London, Routledge, 1984).
- lxxxix McKee, *Strike Art*, p12.
- xc Scholette G *Dark Matter: Art and Politics in the Age of Enterprise Culture* (New York, Pluto Press, 2010).
- xcⁱ Rancière J *The Politics of Aesthetics: The Distribution of the Sensible* (London, Continuum, 2011).
- xcⁱⁱ Rotter J M Law, Economics, Technology, and the Social Construction of Art, *The Journal of Arts Management: Law, and Society*, 37(4) (2008), p281.
- xcⁱⁱⁱ Hegel GWF *Hegel's Aesthetics: Lectures on Fine Art*.
- xc^{iv} Adorno T and Horkheimer M 'The Culture Industry: Enlightenment as Mass Deception'. In Schmid Noerr G (ed.) *Dialectic of Enlightenment: Philosophical Fragments i*(Stanford, CA, Stanford University Press, 2002) pp.94-135.
- xc^v Debord, *Society of the Spectacle*.
- xc^{vi} Danto, *The End of Art: A Philosophical Defence*.
- xc^{vii} Kosuth J *Art After Philosophy and After: Collected Writings 1966-1990* (Cambridge, MIT Press, 1991).
- xc^{viii} Rotter *Economics, Technology, and the Social Construction of Art*, p283.
- xc^{ix} Rotter *Economics, Technology, and the Social Construction of Art*, p281.
- c Bishop, *Artificial Hells*, p16.
- cⁱ Scholette et al *Delerium and Resistance: Activist Art and the Crisis of Capitalism*, p23.
- cⁱⁱ Bishop, *Artificial Hells*, p27.
- cⁱⁱⁱ Durán J M 'Artistic Labor and the Production of Value: An Attempt at a Marxist Interpretation', *Rethinking Marxism* 28(2) (2016), p220-237.
- c^{iv} Martin S 'The absolute artwork meets the absolute commodity', *Radical Philosophy* 146 November-December (2007), pp15-25.
- c^v Spaulding D and Demby N 'Art, Value, and the Freedom Fetish', *Mute* May 28 (2015). Available at: <http://www.metamute.org/editorial/articles/art-value-and-freedom-fetish-0> (Accessed 22 July 2018).
- c^{vi} Hudson H *Artistic Licence: The Philosophical Problems of Copyright and Appropriation* (Chicago, Chicago University Press, 2017).
- c^{vii} Durán *Artistic Labor and the Production of Value*.
- c^{viii} Wickenden S *Artistic Works and Artists' Rights– Redrawing the law* (2015) Available at: https://www.barcouncil.org.uk/media/313944/_46_stephanie_wickenden.pdf (aaccessed 30 July 2018).
- c^{ix} Under Section 4 (1) 'artistic work' is listed as "(a) a graphic work, photograph, sculpture or collage, irrespective of artistic quality, (b) a work of architecture being a building or a model for a building, or (c) a work of artistic craftsmanship."

^{cx} Marta Iljadica works on the work of street artists and graffiti writers and how they use a plurality of norms to establish their own forms acceptability in law and art, that is similar but other to formal copyright law (Iljadica M 'Graffiti and the Moral Right of Integrity', *Intellectual Property Quarterly*, (2015) pp1-23; Iljadica M *Copyright Beyond the Law: Regulating Creativity in the Graffiti Subculture* (London, Bloomsbury Publishing, 2016).

^{cxii} Maclean E 'On the Meaning of Art Forgery', *Law & Critique* 2(1) (1991), pp3-36.

^{cxiii} Joselit D *After Art* (New Jersey, Princeton University Press, 2013).

^{cxiii} Jameson F *The Cultural Turn: Selected Writings on the Postmodern* (London, Verso, 1998).

^{cxiv} Not only that but art's journey into property was at the expense of other permutations of non-Western and 'outsider' art, with aesthetics ratified through the eyes of those buying and selling, a juridical decision-making of the art establishment that at once casts the inside and the outside of art, as if the same constitution-making of law.

^{cxv} Discussions around law *as* aesthetics and aesthetics *as* law are no doubt very much influenced and indebted to the thought of Swastee Ranjan, PhD student writing on the legal affect of objects in the city, at Sussex Law School.

^{cxvi} Form and composition further demonstrate an order that needs to exist within a work to qualify as artistic, determining what may be seen as aesthetically-pleasing, and yet, art may not always be so. Disorder is represented as ugly, illegal and reprehensible; and yet the striving for totality and perfection through order in art and law, is neither possible, nor desirable, given the consequences that we have seen and indeed see today, in totalitarian politics of fascism and racism. It doesn't matter that you haven't had the correct training to give you the light and composition expected for a 'complete' work of art, because actually, the beauty is the incompleteness. The same for the rioter – you are rioting because of the violence of the order of the system (Finchett-Maddock, 2012).

^{cxvii} France, M and He'naut, A 'Art, therefore entropy', *Leonardo*, Art and Science Similarities, Differences and Interactions Special Issue 27(3) (1994), pp219–221.

^{cxviii} Schuppli S 'Law and Disorder' In Cox C Jaskey, Malik (eds) *Realism, Materialism, Art* (New York, Sternberg Press, 2015) pp133.

^{cxix} Schuppli *Law and Disorder*, p134.

^{cxx} Schuppli *Law and Disorder*, p137.

^{cxxi} Coole D 'From within the Midst of Things. New Sensibility, New Alchemy and the Renewal of Critical Theory', In: Cox C Jaskey, Malik (eds) *Realism, Materialism, Art* (New York, Sternberg Press, (2015), p41.

^{cxxii} McKee K 'Aleatory Materialism and Speculative Jurisprudence (II): For a New Logic of Right'. In de Sutter L (ed) *Althusser and Law* (Nomikoi Critical Legal Thinkers Book Series, New York, Routledge (2013), pp. 139-156.

^{cxxiii} Diederichsen D 'Is Marxism a Correlationalism?' In: Cox C Jaskey, Malik (eds) *Realism, Materialism, Art* (New York, Sternberg Press, 2015), p66.

^{cxxiv} Kayman M 'Law and the Statuesque', *Law Critique* 23(1) (2013), pp1-22.

^{cxxv} Bourriand *Relational Aesthetics*.

^{cxxvi} Harman G *Object-Oriented Ontology: A New Theory of Everything* (London, Penguin, 2018).

cxvii Bourriaud *Relational Aesthetics*.

cxviii Lyotard J 'Sublime and the Avant-Garde', *Art Forum* 22(8) (1984), pp36-43.

cxix Lyotard *Sublime and the Avant-Garde*.

cxx Danto, *The End of Art: A Philosophical Defence*, p134.

xxxi Belting in Danto, *The End of Art: A Philosophical Defence*, p136.

xxxi Atkinson D *Art, Disobedience and Ethics: The Adventure of Pedagogy* (London, Springer, 2017), p30-31.

xxxi Thompson N *Seeing Power: Art and Activism in the 21st Century* (New York, Melville House, 2015).

xxxi Fischer-Lescano *Sociological Aesthetics of Law*, p16.

xxxi Thompson, *Seeing Power*; Jelenik A *This is Not Art: Activism and Other Not-Art* (London, Tauris, 2013).

xxxi Haraway D *Staying with the Trouble: Making Kin in the Cthulucene* (Duke University, Duke University Press, 2016)

xxxi Sammons *Can Law be Art?*, p451.

xxxi Watt G 'The art of advocacy: renaissance of rhetoric in the law School', *Law and Humanities*, Epub ahead of print 20 June 2018 (2018) DOI: 10.1080/17521483.2018.1464243, p5.

xxxi Bottomley A and Moore N 'Law, Diagram, Film: Critique Exhausted'. *Law Critique* 23 (2012) p18.

cxl Bishop, *Artificial Hells*, p40.

cxli Castoriadis C *The Imaginary Institution of Society* (Cambridge MA, MIT Press, 1975).

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